
TITLE 68 INDIANA GAMING COMMISSION

Final Rule

LSA Document #06-190(F)

DIGEST

Amends [68 IAC 1-7-1](#) to replace the term "commission" with the term "enforcement" and remove references to "riverboat excursions". Adds provisions to allow the Commission or the executive director to waive, restrict, or alter any requirement or procedure set forth in the rule. Effective 30 days after filing with the Publisher.

[68 IAC 1-7-1](#); [68 IAC 1-7-2](#)

SECTION 1. [68 IAC 1-7-1](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 1-7-1](#) Weapons on the riverboat

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33-8](#); [IC 35-41-1-17](#)

Sec. 1. (a) The following definitions apply throughout this rule:

(1) "Federal enforcement officer" has the meaning set forth in 5 U.S.C. 8331 or [IC 35-41-1-17](#), or both.

(2) "Law enforcement officer" has the meaning set forth in [IC 35-41-1-17](#).

(3) "Security personnel" means an employee of the riverboat licensee or a supplier licensee who:

(A) holds the appropriate level of occupational license under [IC 4-33-8](#) and [68 IAC 2-3](#); and

(B) is employed in the riverboat licensee's security department or by a supplier licensee that contractually provides security services to a riverboat licensee.

(b) No individual other than ~~a commission~~ **an enforcement** agent shall carry a weapon on board the riverboat. ~~during any excursion.~~ A law enforcement officer or a federal enforcement officer:

(1) whose sole purpose for being on the riverboat is the performance of official duties; and

(2) who has advised the ~~commission~~ **enforcement** agent or the commission that the officer will be on board the riverboat; ~~during an excursion~~

shall be allowed to carry a weapon on board the riverboat. ~~during an excursion.~~

(c) The riverboat licensee shall post a sign in a prominent place at the point of passenger ingress stating, "No weapons are allowed beyond this point. Failure to comply with this rule may result in the immediate removal from the riverboat, immediate detention by security personnel, the imposition of civil penalties, or exclusion under [IC 4-33](#)."

(d) The riverboat licensee shall provide a secure place to which patrons do not have access to store weapons checked by:

(1) patrons;

(2) off duty law enforcement officers; or

(3) off duty federal enforcement officers.

(e) Security personnel may carry a weapon on board the riverboat during times that patrons are not present.

(Indiana Gaming Commission; [68 IAC 1-7-1](#); filed Jun 23, 1995, 2:30 p.m.: 18 IR 2649; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898; filed Dec 18, 2006, 1:16 p.m.: [20070117-IR-068060190FRA](#))

SECTION 2. [68 IAC 1-7-2](#) IS ADDED TO READ AS FOLLOWS:

[68 IAC 1-7-2](#) Deviation from provisions

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 2. The executive director or the commission may approve deviations from the provisions of this rule upon written request if the executive director or the commission determines that:

- (1) the requirement or procedure is impractical or burdensome; and**
- (2) the alternative means of satisfying the requirement or procedure:**
 - (A) fulfills the purpose of the rule;**
 - (B) is in the best interest of the public and the gaming industry in Indiana; and**
 - (C) does not violate [IC 4-33](#).**

(Indiana Gaming Commission; [68 IAC 1-7-2](#); filed Dec 18, 2006, 1:16 p.m.: [20070117-IR-068060190FRA](#))

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Notice of Intent: [20060705-IR-068060190NIA](#)

Proposed Rule: [20060823-IR-068060190PRA](#)

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